



Adopted in House Comm. on May 14, 2008

09500SB2240ham001

LRB095 13307 WGH 50759 a

1 AMENDMENT TO SENATE BILL 2240

2 AMENDMENT NO. _____. Amend Senate Bill 2240 on page 12, by
3 inserting after line 10 the following:

4 "(L) Notwithstanding any other rulemaking authority that
5 may exist, neither the Governor nor any agency or agency head
6 under the jurisdiction of the Governor has any authority to
7 make or promulgate rules to implement or enforce the provisions
8 of this amendatory Act of the 95th General Assembly. If,
9 however, the Governor believes that rules are necessary to
10 implement or enforce the provisions of this amendatory Act of
11 the 95th General Assembly, the Governor may suggest rules to
12 the General Assembly by filing them with the Clerk of the House
13 and Secretary of the Senate and by requesting that the General
14 Assembly authorize such rulemaking by law, enact those
15 suggested rules into law, or take any other appropriate action
16 in the General Assembly's discretion. Nothing contained in this
17 amendatory Act of the 95th General Assembly shall be
18 interpreted to grant rulemaking authority under any other

1 Illinois statute where such authority is not otherwise
2 explicitly given. For the purposes of this subsection, "rules"
3 is given the meaning contained in Section 1-70 of the Illinois
4 Administrative Procedure Act, and "agency" and "agency head"
5 are given the meanings contained in Sections 1-20 and 1-25 of
6 the Illinois Administrative Procedure Act to the extent that
7 such definitions apply to agencies or agency heads under the
8 jurisdiction of the Governor."; and

9 on page 20, by inserting after line 11 the following:

10 "(K) Notwithstanding any other rulemaking authority that
11 may exist, neither the Governor nor any agency or agency head
12 under the jurisdiction of the Governor has any authority to
13 make or promulgate rules to implement or enforce the provisions
14 of this amendatory Act of the 95th General Assembly. If,
15 however, the Governor believes that rules are necessary to
16 implement or enforce the provisions of this amendatory Act of
17 the 95th General Assembly, the Governor may suggest rules to
18 the General Assembly by filing them with the Clerk of the House
19 and Secretary of the Senate and by requesting that the General
20 Assembly authorize such rulemaking by law, enact those
21 suggested rules into law, or take any other appropriate action
22 in the General Assembly's discretion. Nothing contained in this
23 amendatory Act of the 95th General Assembly shall be
24 interpreted to grant rulemaking authority under any other
25 Illinois statute where such authority is not otherwise

1 explicitly given. For the purposes of this subsection, "rules"
2 is given the meaning contained in Section 1-70 of the Illinois
3 Administrative Procedure Act, and "agency" and "agency head"
4 are given the meanings contained in Sections 1-20 and 1-25 of
5 the Illinois Administrative Procedure Act to the extent that
6 such definitions apply to agencies or agency heads under the
7 jurisdiction of the Governor."; and

8 on page 21, by inserting after line 26 the following:

9 "(G) Notwithstanding any other rulemaking authority that
10 may exist, neither the Governor nor any agency or agency head
11 under the jurisdiction of the Governor has any authority to
12 make or promulgate rules to implement or enforce the provisions
13 of this amendatory Act of the 95th General Assembly. If,
14 however, the Governor believes that rules are necessary to
15 implement or enforce the provisions of this amendatory Act of
16 the 95th General Assembly, the Governor may suggest rules to
17 the General Assembly by filing them with the Clerk of the House
18 and Secretary of the Senate and by requesting that the General
19 Assembly authorize such rulemaking by law, enact those
20 suggested rules into law, or take any other appropriate action
21 in the General Assembly's discretion. Nothing contained in this
22 amendatory Act of the 95th General Assembly shall be
23 interpreted to grant rulemaking authority under any other
24 Illinois statute where such authority is not otherwise
25 explicitly given. For the purposes of this subsection, "rules"

1 is given the meaning contained in Section 1-70 of the Illinois
2 Administrative Procedure Act, and "agency" and "agency head"
3 are given the meanings contained in Sections 1-20 and 1-25 of
4 the Illinois Administrative Procedure Act to the extent that
5 such definitions apply to agencies or agency heads under the
6 jurisdiction of the Governor.".